

The Hon. John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff

v.

AMADO PEDRO CASTILLO,
Defendant.

NO. CR21-174-JCC

[Proposed]

ORDER CONTINUING TRIAL

THIS MATTER comes before the Court on the parties' Agreed Emergency Motion to Continue Trial Due to the Unavailability of the Lead AUSA.

Having considered the motion, as well as the underlying record in this matter, the Court FINDS as follows:

1. Based on the government's representations, the lead AUSA on this case has become unavailable for trial due to an unexpected medical issue. This AUSA has been assigned to this large wiretap case for more than 3 years, and over that time he has developed special knowledge of the case, including the extensive investigative record. Any substitute AUSA, however competent, would require more than two weeks' time to become sufficiently familiar with the case and the evidence to take over the lead AUSA's role at trial. For these

1 reasons, requiring the parties to proceed to trial on January 29, 2024 would
 2 unreasonably deny the government continuity of counsel and the reasonable
 3 time necessary for effective preparation, taking into account the exercise of due
 4 diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

- 5 2. For the reasons discussed above, the failure to grant a continuance under these
 6 circumstances would likely to result in a miscarriage of justice as provided in
 7 18 U.S.C. § 3161(h)(7)(B)(i).
- 8 3. For all of these reasons, the ends of justice served by granting a trial
 9 continuance outweigh the best interests of the public and the defendant in a
 10 speedier trial within the meaning of 18 U.S.C. § 3161(h)(7)(A).
- 11 4. The Court has also considered the fact counsel for the Defendant agrees with
 12 the continuance and represents the Defendant will agree with the continuance
 13 and will file a waiver of his right to a speedy trial, agreeing to waive that right
 14 through May 31, 2024.

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 16 IT IS THEREFORE ORDERED that the trial date in this matter is continued to
 17 May 6th, 2024.

18 IT IS FURTHER ORDERED that the period of time from the filing of the parties'
 19 motion, up to and including the new trial date of May 6, 2024 shall be excludable time
 20 pursuant to 18 U.S.C. § 3161(h)(7)(A).

21 IT IS SO ORDERED.

22 DATED this 13th day of January 2024.

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THE HON. JOHN C. COUGHENOUR
 UNITED STATES DISTRICT JUDGE

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3 Presented by:

4 s/ Michelle Jensen
MICHELLE JENSEN
5 Assistant United States Attorney

6 s/ Timothy R. Lohraff
7 TIMOTHY R. LOHRAFF
Attorney for the Defendant
8 Amado Pedro Castillo
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